

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number: 14-20363  
Honorable Thomas L. Ludington

ARMANDO VAZQUEZ-HERRERA,

Defendant.

---

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING  
DEFENDANT'S PLEA OF GUILTY AS TO COUNT TWO OF THE INDICTMENT,  
AND TAKING THE RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

A plea hearing was conducted on July 9, 2014, by United States Magistrate Judge Patricia T. Morris pursuant to Defendant's consent. Judge Morris issued her report the next day, recommending that this Court accept Defendant's plea of guilty as to Count 2 of the indictment. Although Judge Morris's report explicitly stated that the parties to this action may object to and seek review of the recommendation within 14 days of service of the report, as of today's date, neither party has filed objections. The failure to object to Judge Morris's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Moreover, the failure to file objections to the report waives any further right to appeal.

*See Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, it is **ORDERED** that Judge Morris's report and recommendation, ECF No. 13, is **ADOPTED**.

It is further **ORDERED** that Defendant's plea of guilty as to Count 2 of the indictment is **ACCEPTED**, and the Rule 11 Plea Agreement, ECF No. 11, is taken **UNDER ADVISEMENT**.

Dated: August 4, 2014

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 4, 2014.

s/Tracy A. Jacobs  
TRACY A. JACOBS